

REMARKS

[0003] Applicant respectfully requests entry of the following remarks and reconsideration of the subject application. Applicant respectfully requests entry of the amendments herein. The remarks and amendments should be entered under 37 C.F.R. §1.116 as they place the application in better form for appeal, or for resolution on the merits.

[0004] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-32 are presently pending. Claims amended herein are: 1-10, 27-29, and 32. Claims withdrawn or cancelled herein are: 11 and 30. New claims added herein are: none.

Statement of Substance of Interview

[0005] The Examiner graciously met with me—the undersigned representative for the Applicant—on January 24, 2008. Applicant greatly appreciates the Examiner's willingness to meet. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

[0006] During the interview, the Examiner and I discussed the §112 rejections and the independent claims. I understood the Examiner to indicate that clarification of support in the specification for previous claim amendments would be likely to overcome the cited art, subject to an updated search

[0007] Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying amendments incorporating subject matter indicated as allowable in the Office Action mailed Oct. 30, 2008.

[0008] I understood the Examiner to tentatively agree that each of the independent claims would be patentable over the cited art if amended as discussed during the interview.

[0009] Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

Formal Request for an Interview

[0010] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0011] Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

Claim Amendments

[0012] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1-10, 27-29, and 32 herein. Applicant amends claims in accordance with the above referenced discussion with the Examiner. Such amendments are made to expedite prosecution and quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed features, and should not be construed as further limiting the claimed invention in response to cited art.

Formal Matters

Provisional Double-Patenting Rejections

[0013] Based upon co-pending applications 10/729,096, 10/456,093, and 10/411,876 the Examiner rejects claims 1-32 on the grounds of non-statutory obviousness-type double-patenting. Accordingly, Applicant submits herewith a terminal disclaimer to overcome these provisional double-patenting rejections.

[0014] As acknowledged by the Examiner during the above discussed Examiner Interview, the remaining provisional double patenting rejections are moot since these applications have not indeed been patented.

Substantive Matters

Claim Rejections under §112 2ND ¶

[0015] Claims 1-32 are rejected under 35 U.S.C. §112, 2nd ¶. In light of the discussion in the above mentioned interview and the discussion presented herein, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

Discussion of support for the claims as provided by the Specification

[0016] As discussed during the above mentioned Examiner Interview, the Specification provides support for each feature of the claims. Without indicating that the exemplary support provided herein comprises the only support provided in the Specification, and in the interest of expediting prosecution, Exemplary support for the features as requested by the Examiner includes:

Claim 14:

- “a first function that communicates a new security policy to the plurality of security engines, wherein a new set of rules and/or data associated with the new policy is communicated” at least at p. 16, ll. 17-23.
- “a second function that identifies whether each of the plurality of security engines is prepared to apply the new security policy based on a value generated by each of the plurality of security engines signifying whether it has processed the new set of rules and/or data” at least at p. 16, ll. 23-25.

- “a third function that instructs each of the plurality of security engines to implement the new security policy after determining that all of the security engines are prepared to apply the new security policy” at least at p. 17, ll. 1-4.

Claim 15:

- “a fourth function that causes each of the plurality of security engines to delete the new security policy if at least one of the plurality of security engines is unable to apply the new security policy” at least at pp. 22-23, ll. 24-8.

Claim 16:

- “a fourth function related to communicating event information identified by a first security engine to the other security engines” at least at p. 13, ll. 19-25.

Claim 17:

- “a fourth function related to communicating security-related information identified by a first security engine to an event manager” at least at p. 17, ll. 5-9.

Claim 27:

- “a first function that communicates a security-related event to an event manager, wherein the security-related event is detection of a virus, and wherein the communication of the security-related event includes information or details of the event being communicated” at least at p. 13, ll. 8-11.
- “a second function that identifies a plurality of security engines associated with the security-related event, wherein the identified security engines are those security engines determined to be able to use the event information” at least at p. 13, ll. 13-15.
- “a third function that communicates the security-related event from the event manager to the identified security engines thus each of the plurality of security engines need not know of the other security engines” at least at p. 13, ll. 19-25.
- “a fourth function that communicates a new security policy from the event manager to the plurality of security engines to increase security based on shared event information” at least at p. 14, ll. 5-19.
- “a fifth function that instructs the plurality of security engines to replace an existing security policy with the new security policy” at least at p. 16, ll. 17-23.

- “a sixth function that communicates the ability of the plurality of security engines to replace an existing security policy with the new security policy” at least at p. 16, ll. 23-25.

Claim 28:

- “a seventh function that instructs the plurality of security engines to implement the new security policy if all of the plurality of security engines can implement the new security policy” at least at p. 17, ll. 1-4.

Claim 29:

- “a function that instructs the plurality of security engines to delete the new security policy if at least one of the plurality of security engines cannot implement the new security policy” at least at pp. 22-23, ll. 24-8.

Claim 32:

- “a function that notifies the event manager that a particular security engine has finished processing another function call” at least at pp. 47-48, ll. 17-9.

[0017] Applicant notes that claims 1-10 and 21 are supported by at least similar citations to the Specification as claims 14-17, 27-29, and 32.

[0018] Thus, at least the above cited exemplary portions of the Specification support the claims herein. Furthermore, in addition to the exemplary portions cited, as

discussed during the above mentioned Examiner Interview, throughout the Specification support is provided for each feature of the claims. In the interest of expediting prosecution and without indicating that the exemplary support provided herein comprises the only support provided in the Specification, Applicant has illustrated exemplary support as requested by the Examiner, herein.

Claim Rejections under §102

[0019] Claims 1-32 are rejected under 35 U.S.C. §102(e) as anticipated by KO et al. (U.S. Patent No. 6,789,202). In light of the amendments presented herein and the agreements reached during the above-discussed Examiner interview, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

Dependent Claims

[0020] In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

[0021] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact me before issuing a subsequent Action. Please call/email me or my assistant at your convenience.

Respectfully Submitted,

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